

**TOWN OF POLK**  
**Plan Commission Minutes**  
**January 5, 2010**  
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**I. Call Meeting to Order** - The meeting of the Plan Commission of the Town of Polk was called to order by Chairman Albert Schulteis immediately after the Special Town Board meeting.

**A. Pledge of Allegiance** - Pledge of Allegiance was recited at the Special Town Board meeting.

**B. Official Meeting Notice** - Chairman Schulteis reported that the notice of the meeting was sent to the West Bend Daily News, the Hartford Times Press, WBKV, WTKM, Milwaukee Journal Sentinel and posted at the Town Hall, Highway View School, Cedar Hills bulletin boards, and also posted on the Town of Polk website.

**C. Roll Call** - Members present: Chairman Albert Schulteis, Willard Heppe, Karen Reiter, Mark Peters, Marvin Kissinger, Robert Roecker, Supervisor Theodore Merten, guest Supervisor Harold Groth, Judy Stephenson, Zoning Secretary and John Frey, Building Inspector.

**D. Approval of minutes for December 1, 2009** - Motion made by Karen Reiter to approve the December 1, 2009 minutes with the deletion of the name of John Frey, Building Inspector, from the Roll Call. Motion seconded by Robert Roecker. All voted in favor and motion carried.

**II. Unfinished Business - none**

**III. New Business - Discussion/Possible Action on the Following:**

**A. Ordinance 09-09 amending Section 6.03 regarding Recreational fences, such as tennis courts in Title X of the Town Code, the Zoning Ordinance.**

Motion made by Karen Reiter and seconded by Mark Peters to recommend to the Town Board approval of Ordinance 09-09, which is renumbered to 10-03, amending Section 6.03 regarding recreational fences. All voted in favor and the motion passed.

**Application for Conditional Use to erect a Billboard Sign 14' x 14' in size and 47' in height along Hwy 41. Owner of property is Jacklin Investments LLC, 4447 State Highway 144, Slinger. Applicant Paul Jacklin, N166 W20905 Parkway Drive, Jackson. Tax Key T9-0332-00C, Section 7, 1.5 acres zoned M-1 Industrial.**

Paul Jacklin stated that the sizing of the billboard is 14' by 48' and 47' in height. He further stated that the billboard would be 10' from the north lotline although he had not shown a distance on the survey because he is flexible on the distance to accommodate where the Town would want it. Ron Boda, billboard constructor, stated that the State requires that the end of the sign be a minimum of 3' from the property line.

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Mark Peters stated that he would like to see the sign at least 50' from the neighboring property in case sign would fall over it would stay on the applicant's property. Karen Reiter stated that the Plan Commission had required a similar such distance for cell towers. Karen Reiter asked if Jacklin would be putting some of his own signs on the billboard since there are currently two semi trucks with signage on them. Mr. Jacklin stated that the billboard would be rented out and the blue trailer with the sign on it would be removed. Mr. Jacklin further stated that the billboard is two sided. John Frey stated that at 47' in height the sign would be almost as tall as a 5 story building. Mr. Jacklin stated that the height was necessary to provide visibility from the north over the trees and because the site where the pole will go is 8' to 10' below the finished site of the property. He further stated that he does not want to obstruct the existing signs of other people. Karen Reiter stated that when the application for the Mobile gas station sign height was being considered, one of the reasons was that the sign was for helping people who were looking for help at such a stop; the billboard is not for such a purpose. Chairman Schulteis asked what the normal height for a billboard is. Ron Boda stated that there isn't any; he has put up 10', 30' and even 95' signs. He further stated that he must have the conditional use permit approval from the Town before he could go to the State for approval; that is the procedure when a Town has a billboard ordinance that requires Town approval. Discussion was held. Mr. Jacklin stated that the height of the neighbor, Andy Barrett's sign, is 20'. Karen Reiter stated that the lighting indicated was from dusk to dawn. Rod Boda stated that the billboards in Fond du Lac have a timer that shuts the light off at 12:30 a.m. and this one would also because you are not advertising to anyone after that time at night. Andy Barrett asked what side of the building the sign was going on. Chairman Schulteis stated it was the north side. Andy Barrett stated that he had once wanted to put up a billboard on his property and to leave his option open for the future, he would need more than the 200' of frontage he has as a space between the proposed Jacklin billboard and one of his own. Chairman Schulteis stated that it was mentioned before that if the bill board was too close to the bridge on the south, it would not have good visibility. Ron Boda stated that the State required 500' between billboards and the County requires 300'. Further discussion was held.

Motion made by Karen Reiter and seconded by Robert Roecker to recommend approval to the Town Board of the Conditional Use application to erect a Billboard sign with the following conditions: Sign is to be 14' x 48' and not exceed 47' in height and be at least 50' off the north lot line and 3' off the State right of way. The blue trailer signage is to be removed from the property. Lighting must go off at midnight via timer. Permit to be conditional on State approval. All voted in favor and the motion passed.

**C. Conceptual Land Division for Joseph Knoeble Estate, 4243 Arthur Rd. For 4 lots out of a 32.49 acre parcel. Tax Key T9-0390-00Z. Section 9, zoned A-1 Agriculture.**

Don Thoma, Accurate Survey, spoke on behalf of the conceptual land division for the Knoeble

Estate. He stated that he had revised the concept plan #8 and added some more information on  
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it that the Plan Commission members had asked for. He further stated that the Estate wanted to keep their budget down low because they really did not have any money at this point but he has included the building setbacks, the Washington County floodplain, wetlands areas and water surfaces and shoreland boundary. Mr. Thoma stated that after locating the neighboring 22' by 40' garage on this plan he realized it was only 3' off the lot line so he moved the road outlot over 27' and created another outlot next to that persons lot that could be purchased from the Estate by lot 1 if he wanted the garage to conform. He further stated that the Estate was looking for approval of the concept plan and the next step would be the negotiations for the purchase of a half acre lot on Arthur Rd. from the Town. Mr. Thoma stated that an offer to purchase had been sent to the Town and one of the conditions in it was that the concept plan be approved; the offer to purchase was not being discussed tonight. He further stated that the heirs who would receive the 15 acre parcel in the southwest corner do not wish to divide it right now but they fully understand that if they wish to divide it later on, they may have a problem but do not want to put up the money for a private road and the extension of it back to service their lot. He stated that the 15 acre lot does have frontage on the private road as it is laid out on the concept plan. He further stated that the existing house on Arthur Rd. was built many years ago and does not meet the minimum front set back requirement; the shed would be razed. The existing barn on lot 1 would be kept without a primary residence at this time.

Karen Reiter asked where the driveway would go. Don Thoma stated that there is a farm lane there and they would look to see that there was proper clearance. He further stated that because the road has a steep hill, visibility may be an issue; they could restrict the driveway if need be for safety.

Willard Heppe questioned the offer to purchase being contingent on the concept approval. He stated that the offer cannot even be discussed until it is on a Town Board agenda. He further stated that the Chairman will meet with the Town attorney tomorrow to discuss offer and then a Public Hearing would be needed to negotiate the sale. Mr. Heppe stated that the concept plan should be tabled until the Town Board discusses it next Tuesday. He further stated that a straight line is needed by lot 2 for the road to access back to the 15 acres. Discussion was held.

Chairman Schulteis stated that he wanted to thank both Don Thoma and John Frey for all the work they have put into getting the concept plan in order; both sides have listened to each other as far as what needs to be taken care of. He further stated that it is a long, tedious process and it cannot be rushed through but we are close to where we need to be. John Frey stated that he will need to confer with Mr. Thoma on the building setbacks because they are not correct as shown. Further discussion was held. Chairman Schulteis stated that all expenses are the responsibility of the developer, including the Town attorney fees for private road agreement and reviewing documents and Town Engineer fees.

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Motion made by Karen Reiter and seconded by Ted Merten to table the Conceptual Land Division for Joseph Knoeble Estate until more information on the proposed purchase of Town land could be obtained. All voted in favor and the motion passed.

**D. Zoning Violations** - Judy Stephenson stated that the Town Police Officer issued a warning in November to a bow hunter who was within 500' of a residence. Town Code of Ordinance 9.02 (3)(b) prohibits any person to use or shoot a shotgun , rifle, air gun, pistol or bow and arrow within 500 feet of any dwelling. The Code of Ordinance is not on the Town web site.

**IV. Other Business**

A. Correspondence - a memo was received from David Seils, Washington County Planning and Parks Dept., regarding the new DNR rule changes to NR 115 (Shoreland Development Standards). The changes proposed are to protect water bodies from surface water runoff by capping the amount of impervious area a particular parcel is allowed. Public notices and perhaps informational meetings will be conducted by the Department once the ordinance revision process moves forward.

B. Informational items - none

C. Board of Appeals - Karen Reiter stated that the Board met on Thursday, December 3 at 6:30 pm. at the Town Hall and approved a variance for the Elke Rudloff property on Hwy Z in West Bend to construct an addition to a home. The Board also approved a variance for Scott Litsheim for an attached garage in Slinger.

D. Building Inspector's Report - John Frey stated that business is slow.

**V. Adjournment** - Motion made by Karen Reiter and seconded by Marvin Kissinger to adjourn. All voted in favor and the meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

Judy Stephenson  
Zoning Secretary